

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x	:	
	:	
UNITED STATES OF AMERICA	:	ORDER OF FORFEITURE/
- v. -	:	<u>MONEY JUDGMENT</u>
	:	
DAVID ESPINAL,	:	S4 19 Cr. 428 (JGK)
	:	
Defendant.	:	
----- x	:	

WHEREAS, on or about, July 26, 2021, David Espinal(the "defendant") was charged in a one-count Information (the "Information"), with murder for hire (count one); murder through use of a firearm (count two); illegally possessing firearms (count three) participating in a narcotics conspiracy (count four); making materially false statements (count five); and participating in a conspiracy to possess a contraband cellphone (count six);

WHEREAS, the Information included a forfeiture allegation as to Counts One and Four of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 91(a)(1)(C), Title 28, United States Code, Section 2461(c), and Title 21, United States Code, Section 853, of any and all property constituting or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offense charged in Counts One and Four of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the

commission of the offense charged in Counts One and Four of the Information;

WHEREAS, on or about July 26, 2021, the defendant pled guilty to Counts One and Four of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegations with respect to Counts One and Four of the Information and agreed to forfeit, pursuant a sum of money in United States currency representing any and all property, constituting or derived from proceeds obtained directly or indirectly as a result of the commission of the offenses charged in Counts One and Four of the Information; WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

As a result of the offenses charged in the Information, to which the Defendant pled guilty, a money judgment in the amount of \$4,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in the Information that the Defendant personally obtained, shall be entered against the Defendant.

- - - - -

Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order of Forfeiture/Money Judgment is final as to the Defendant, DAVID ESPINAL, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the "United States Marshals Service" and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

The United States Marshals Service or its designee is authorized to deposit the payments on the Money Judgment in the Asset Forfeiture Fund, and the United States shall have clear title to such forfeited property.

Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any

discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

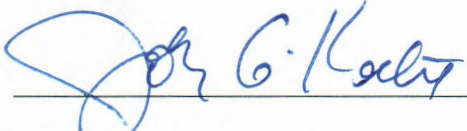
This Court shall retain jurisdiction to enforce this Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

The Clerk of the Court shall forward three certified copies of this Order of Forfeiture/Money Judgment to Assistant United States Attorney Tara LaMorte, Co-Chief, Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One Saint Andrews Plaza, New York, New York 10007.

Dated: New York, New York

May 23, 2023

SO ORDERED:

A handwritten signature in blue ink, appearing to read "John G. Koeltl", is written over a horizontal line.

HONORABLE JOHN G. KOELTL

UNITED STATES DISTRICT JUDGE